

REMARKS

In response to the above-identified Office Action, Applicant amends the application and seeks reconsideration thereof. In this response, Applicant amends Claims 1-3 and 5. Applicant cancels Claims 4, 6, 8-11, 13 and 18-20. Accordingly, Claims 1-3, 5, 7, 21 and 22 are pending.

Attached hereto is a marked-up version of the changes made to the claims by the current amendment. The attachment is captioned "Version With Markings To Show Changes Made."

Restriction Requirement

The Patent Office requires restriction to a single invention under 35 U.S.C. 121. Specifically, the Patent Office requires that Applicant elect one of the inventions covered by Claims 1-7, 21 and 22 (e.g., composition claims), Claims 8-11 and 13 (e.g., apparatus claims), Claims 18-20 (e.g., method claims).

In response, Applicant elects the invention set forth in Group I (Claims 1-7, 21 and 22). As indicated herein, Applicant cancels Claims 8-11, 13 and 18-20.

CONCLUSION

In view of the foregoing, it is believed that all claims now pending (1) are in proper form, (2) are neither obvious nor anticipated by the relied upon art of record, and (3) are in condition for allowance. A Notice of Allowance is earnestly solicited at the earliest possible date. If the Examiner believes that a telephone conference would be useful in moving the application forward to allowance, the Examiner is encouraged to contact the undersigned at (310) 207-3800.

If necessary, the Commissioner is hereby authorized in this, concurrent and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2666 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17, particularly, extension of time fees.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: 12/13, 2002

Raul D. Martinez
Raul D. Martinez
Reg. No. 46,904

12400 Wilshire Blvd.
Seventh Floor
Los Angeles, California 90025
(310) 207-3800

CERTIFICATE OF TRANSMISSION:

I hereby certify that this paper is being facsimile transmitted to the U.S. Patent and Trademark Office on December 13, 2002.

Lillian E. Rodriguez
Lillian E. Rodriguez

12-13-02
December 13, 2002

VERSION WITH MARKINGS TO SHOW CHANGES MADE
IN THE CLAIMS

Please amend the claims as follows:

1 1. (Twice Amended) A composition comprising:
2 a base comprising as a principal component a moisturizer suitable for application to human
3 skin; and
4 a plurality of abrasive particles having a particle size [capable of abrading the skin]in the
5 range of 50 microns to 556 microns.

1 2. (Amended) The composition of claim 1, wherein the moisturizer comprises at least
2 one of a liquid, a gel, and an emollient.

1 3. (Amended) The composition of claim 1, wherein the abrasive particles comprise at
2 least one of corundum and magnesium oxide.

1 5. (Twice Amended) A composition comprising:
2 a base suitable for application to human skin; and
3 a plurality of particles of corundum suspended in the base having an average particle size in
4 the range of 50 microns to 556 microns.

Claims 4, 6, 8-11, 13 and 18-20 have been cancelled.